

REMARKS

This Preliminary Amendment is being submitted concurrently with the filing of a Divisional Application under 37 CFR § 1.53(b).

This Preliminary Amendment is being presented to claim previously non-elected inventions (i.e. nucleic acid and ligand binding assay) in the parent application Serial No. 08/847,296, filed April 24, 1997 (which was subject to a requirement for restriction in Paper Number 11 dated April 21, 1998).


Claims 1-35 have been canceled without prejudice and rewritten as new Claims 36-49 to direct the claims to alternate embodiments of Applicant's invention with respect to the claims which were allowed in the parent application. Support for this amendment is found e.g., on page 6, line 29 to page 15, line 28; page 7, lines 14-15 of the specification and the claims of the application as filed.

The claims under consideration are Claims 36-49.

Submitted herewith is an Information Disclosure Statement with respect to references of record in the parent application Serial No. 08/847,296.

The Applicants respectfully contend that the application is allowable and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

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Serial No.: (to be assigned)
Case No.: 19634YDA
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VERSION OF SPECIFICATION SHOWING CHANGES MADE:

On Page 1, lines 5-8, delete the first paragraph has been amended as follows:

This application ~~claims priority~~ is a Division of Serial No. 08/847,296, filed April 24, 1997, which claims the benefit under 35 U.S.C. § 119(e) from provisional application Case Number 19634PV, filed April 26, 1996 and from provisional application Case Number 19697PV, filed April 26, 1996 as USSN 60/016,158 Serial No. 60/016,158, filed April 26, 1996 and from Serial No. 60/016,158, filed April 26, 1996.

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